

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL S. JOHNSON, DONNA
DYMKOWSKI, PATRICIA LONG-
CORREA, ANTONIO SAMUEL,
VINCENT HALL, ANGELETTE
WATERS, Individually, and on behalf of
the Class.

Plaintiffs,

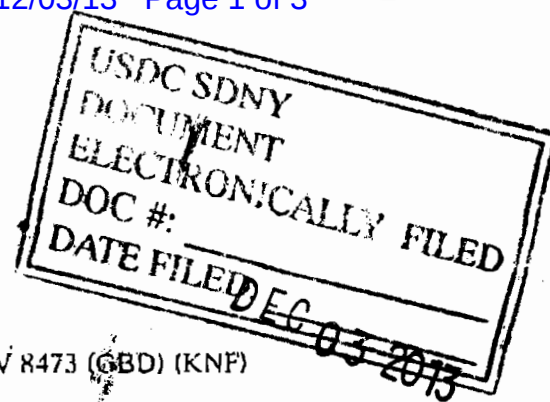
-against-

NEXTEL COMMUNICATIONS, INC., a
Delaware Corporation; LEEDS,
MORELLI & BROWN, P.C.; LENARD
LEEDS, STEVEN A. MORELLI;
JEFFREY K. BROWN; BRYAN
MAZOLA; and JOHN and JANE DOES
1-9, (a fictitious designation for presently
unknown Defendants),

Defendants.

C.A. No. 07 CIV 8473 (GBD) (KNF)

ECF CASE



SO ORDERED

The clerk of the court is directed to
close motion # 156.

DEC 03 2013

George B. Daniels
HON. GEORGE B. DANIELS

**STIPULATED VOLUNTARY DISMISSAL WITH PREJUDICE OF CLAIMS AGAINST
DEFENDANTS LEEDS, MORELLI & BROWN, P.C., LENARD LEEDS, STEVEN A.
MORELLI, JEFFREY K. BROWN, AND BRYAN MAZZOLA**

Plaintiffs Michael S. Johnson, Donna Dymkowski, Patricia Long-Correa, Antonio Samuel and Angelette Waters, together with Defendants Leeds, Morelli & Brown, P.C., Lenard Leeds, Steven A. Morelli, Jeffrey K. Brown, and Bryan Mazzola, and with no objection from Defendant Nextel Communications, Inc. ("Nextel"), by and through their respective undersigned counsel, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, hereby stipulate and agree to the dismissal with prejudice of all claims brought by Plaintiffs against Defendants Leeds, Morelli & Brown, P.C., Lenard Leeds, Steven A. Morelli, Jeffrey K. Brown, and Bryan Mazzola, with each of the parties to bear his/her own fees, including attorneys' and experts' fees, costs, and expenses.

The parties further stipulate and agree that:

(a) this stipulation does not constitute a waiver, release, or dismissal of: i) Nextel's cross-claim against Leeds, Morelli & Brown, P.C., Lenard Leeds, Steven A. Morelli and Jeffrey K. Brown, or ii) any defense those entities or individuals may have to that cross-claim;

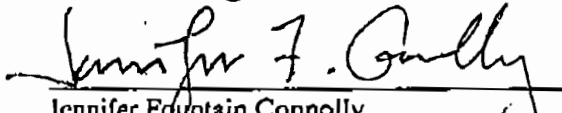
(b) after entry of this stipulation, Leeds, Morelli & Brown, P.C., Lenard Leeds, Steven A. Morelli, and Jeffrey K. Brown will remain parties in this action as cross-claim defendants and they will file an Answer or other responsive pleading to the cross-claim on or before January 13, 2014; and

(c) this stipulation does not constitute a waiver of any defense Nextel has asserted, or may assert, with respect to Plaintiffs' claims.

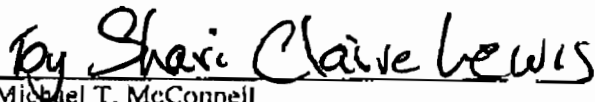
Because this Court did not certify the proposed Subclass against Leeds, Morelli & Brown, P.C., Lenard Leeds, Steven A. Morelli, Jeffrey K. Brown, and Bryan Mazzola, no notice to the Class is required. However, Plaintiffs' proposed notice to the Class advises the remaining members of the proposed Subclass of the Court's decision. The LMB Defendants oppose some of that language. The Court will resolve these disputes in connection with deciding Plaintiffs' Motion for Approval of Plan for Class Notice.

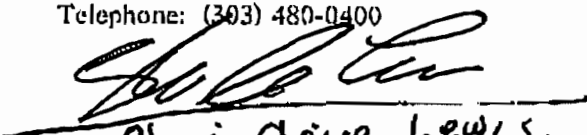
SO STIPULATED this 2nd day of December, 2013.

*For Plaintiffs Michael S. Johnson, Donna
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Samuel and Angelette Waters*


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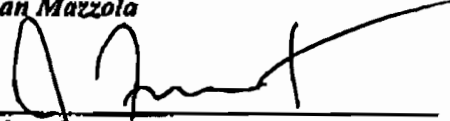

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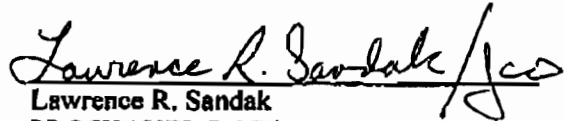
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For Bryan Mazzola



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